



**M O N T A N A
C O A L I T I O N A G A I N S T
D O M E S T I C A N D S E X U A L
V I O L E N C E**

To: House Appropriations
From: Kelsen Young, Executive Director
Montana Coalition Against Domestic and Sexual Violence
Re: Funding for Forensic Rape Examination Payment Program in DOJ Budget
Date: March 6th, 2007

EXHIBIT 7
DATE 3-6-07
HB 806

Mr. Chairman and members of the committee, my name is Kelsen Young and I am the Executive Director of the Montana Coalition Against Domestic and Sexual Violence. We represent direct services programs from across Montana serving victims of domestic and sexual violence.

We come before you today to request your support, and encourage you to provide funding for, the Forensic Rape Examination Payment Program (FREPP) in the Department of Justice budget. This important program was created by the 2005 Legislature and passed both houses of the Legislature with overwhelming support. Yet at the time the legislation passed, it was only a one-time biennial appropriation. The Legislature committed \$61,000 to the creation and maintenance of this program, \$11,000 of which was spent on materials and forensic rape kits that were distributed across the state. Of the \$50,000 set aside to cover the cost of reimbursing hospitals, only approximately \$8,000 has been spent to this point.

There are many reasons why this program has expended limited funds over the last two years. First of all, the program was not fully functional and available for use until November of 2005. Since then, the Office of Consumer Protection and Victim Services and our organization have provided continuing education about the availability of the program to advocates, hospital staff, law enforcement and others. Other factors diminishing the utilization of the program have been resistance from hospitals, lack of wide spread public knowledge, and primarily confusion about how the program operates. These types of delays would be present with any new program.

The staff administering the FREPP program indicate that they have processed 28 forensic exam kits since the program's inception. They have estimated that they will receive approximately 50 more kits in the next two years. The maximum cost for each kit is \$600 (maximum allowable reimbursement amount to hospitals) which will result in a financial need of approximately \$30,000. During subcommittee action, the Attorney General's office requested that money be included in HB2 that would carry over the leftover funds from last year and an additional small new appropriation. From our understanding, the subcommittee had approved this request. We have been unable to determine whether or not the funding for FREPP is included in HB 806.

We strongly believe in the mission and purpose of the FREPP program. The program was established to recognize and honor the experience of sexual assault victims who need time to be able to decide to make a report to law enforcement after they have been victimized. The purpose of the program remains – to hold perpetrators of sexual assault accountable – not to discourage reporting by victims. The reality is that sexual assault victims need time to be able to make these difficult decisions yet still have necessary evidence collected in a timely and appropriate manner.

We strongly urge your support for this program and request that you either support the funding if it's been made available or that you support an amendment to have the funds added to HB 806. Please do your part to support victims of sexual assault in Montana.

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